

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON JACKSON,

Defendant.

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8:16CR162

ORDER

This matter is before the court on the motion to continue by the government (Filing No. 45). Government's counsel previously assigned to this matter has had a medical emergency requiring the assignment of new counsel. New counsel for the government requests 60 days in which to prepare for trial. Counsel for the defendant, Brandon Jackson (Jackson) has no objection to the motion. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

1. The motion to continue trial (Filing No. 45) is granted.
2. Trial of this matter is re-scheduled for **January 23, 2017**, before Judge Robert F. Rossiter, Jr., and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 18, 2016, and January 23, 2017**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 18th day of November, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge